

Message

From: Andrae, Bill/MKE [William.Andrae@jacobs.com]
Sent: 5/22/2020 11:42:23 PM
To: Giancarlo, Mary Beth [Giancarlo.Marybeth@epa.gov]
CC: Skwarski, Alison/DET [Alison.Skwarski@jacobs.com]; Reif, Marty/WDC [Marty.Reif@jacobs.com]
Subject: Gorge Dam Disposal Area Cover
Attachments: Internal OEPA Correspondence_May-2019.pdf; ODOT Landfill Impact and 2713 Authorization Request Guidance.pdf

Hi Mary Beth – As a follow up to our discussion about the liner and cover system, Marty came across the attached correspondence between Bill Z and Karen Naples of OEPA's Division of Materials and Waste Management regarding Ohio's "Rule 13" which authorizes the applicant to engage in filling, grading, excavating, building, drilling, or mining on land where a hazardous waste facility or solid waste facility was operated (i.e., landfills). The correspondence between Bill Z and Karen Naples indicates that the Division of Materials and Waste Management is clearly aware that the Division of Surface Water intends to use the Chuckery Area site for disposal of sediments as Bill Z asked if Rule 13 applied to the Chuckery Area and the response indicates Rule 13 is not applicable; however, the Division of Materials and Waste Management failed to comment on any other regulatory requirements for use of the site for sediment disposal. We take this to mean the Disposal Area is not required to follow "Landfill" requirements or regulations and thus geomembranes for containment of "leachate" and preventing infiltration would not be required. As we discussed, we'll discuss our interpretation of the FS dewatering pad design and cover in our BODR and mention this Rule 13 correspondence.

In addition to our discussion in the BODR, it may be helpful to send an email to Bill Z indicating we found this correspondence regarding Rule 13 and inquire if there are any other Ohio regulations possibly applicable to the Disposal Area, which is not a regulated landfill, or if the conclusion from Ohio Division of Materials and Waste Management regarding Ohio's "Rule 13" is all we need to document we can construct the disposal cells at the Chuckery Area as we plan to.

Have a great holiday weekend!

Cheers!

Bill

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